

When recorded return to:

Mr. Fred H. Rosenfeld
Gust Rosenfeld P.L.C.
One East Washington Street, Suite 1600
Phoenix, Arizona 85004

RELEASE

Pursuant to the Lease-Purchase Agreement and the Amended Ground Lease described below The Bank of New York Mellon Trust Company, N.A. (the "*Successor Trustee*"), hereby releases without recourse, representation or warranty, any and all right, title and interest arising under or purported to arise under any or all of the following documents and in the real property described on Exhibit A hereto:

The Lease Agreement by and between **PHS MORTGAGE, INC.**, an Arizona corporation (the "*Original Lessor*"), and **COCHISE COUNTY, ARIZONA** (the "*Lessee*"), dated as of December 1, 1996, as amended by the First Amendment to Lease Agreement dated as of October 1, 2002 (the "*Lease Agreement*" and, collectively with the First Amendment to Lease Agreement and the Second Amendment to Lease Agreement, the "*Lease*"). The Original Lessor assigned the Lease Agreement to Bank One Trust Company, N.A. (formerly known as Bank One, Arizona, NA herein referred to as the "*Lessor*"). The Lease Agreement was recorded in the office of the Cochise County Recorder on December 12, 1996 at Document No. 961233760. The assignment of the Original Lessor's interest in the Lease Agreement was recorded in the office of the Cochise County Recorder on December 12, 1996 at Document No. 961233761. The First Amendment to Lease Agreement was recorded on November 4, 2002 at fee number 021135373. The Second Amendment to Lease Agreement was recorded on March 19, 2003 at Fee No, 030309228.

The Restated Ground Lease recorded in the official records of Cochise County, Arizona on November 4, 2002 at fee number 021135372 (the "*Restated Ground Lease*"), by and between **COCHISE COUNTY, ARIZONA**, a county duly organized and existing under the laws of the State of Arizona (the "*County*"), and **BANK ONE TRUST COMPANY, N.A.** ("*Lessee*"). The First Amendment to the Restated Ground Lease was recorded on March 19, 2003 at Fee No, 030309227.

The Bank of New York Mellon Trust Company as the Successor Trustee to Bank One, Arizona, NA, is now the Lessor.

Dated: _____, 2014.

**THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.,** Successor Trustee

By: _____

Its: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2014, by _____ under the laws of the State of Arizona, on behalf of the Successor Trustee.

Notary Public

(affix notary seal here)

**EXHIBIT A
TO RELEASE**

REAL PROPERTY DESCRIPTION

That portion of the Northwest 1/4 of Section 32, Township 23 South, Range 24 East of the Gila and Salt River Meridian, Cochise County, Arizona, more particularly described as follows:

Commencing at the Northwest corner of Section 32; Thence South 89° 54' 41" East coincident with the North line of Section 32 a distance of 2286.89 feet to Corner No. 4 of the Josie Z Patented Mining Claim; Thence South 00° 16' 52" West a distance of 900.47 feet to the Point of Beginning; Thence continuing South 00° 16' 52" West a distance of 597.16 feet to Corner No. 3 of the Josie Z Patented Mining Claim; Thence South 89° 40' 54" West a distance of 119.82 feet;

Thence South 00° 03' 11" East a distance of 200.00 feet; Thence South 89° 40' 54" West a distance of 1141.63 feet; Thence North 00° 11' 09" East a distance of 803.47 feet; Thence North 89° 58' 07" East a distance of 555.41 feet; Thence North 00° 05' 21" West a distance of 277.00 feet; Thence North 89° 58' 07" East a distance of 344.00 feet; Thence South 00° 05' 21" East a distance of 277.00 feet; Thence North 89° 58' 07" East a distance of 362.16 feet to the Point of Beginning.

Subject to any and all prior easements, rights-of-way, covenants, restrictions and encumbrances of record.

Benson parcel

Lots 5 through 16, TOWN OF BENSON, according to Book 1 of Maps, page 130, records of Cochise County, Arizona.

The foregoing land is comprised of three parcels as shown on the records of the Cochise County Assessor as:

Assessor's Parcel No. 123-23-111;
Assessor's Parcel No. 123-23-111A; and
Assessor's Parcel No. 123-23-111B

Subject to any and all prior easements, rights-of-way, covenants, restrictions and encumbrances of record.